

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re: Patricia L. Johnson, Debtor

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Case No. 22-30214-KLP
Chapter 13

OBJECTION TO CONFIRMATION

COMES NOW Elizabeth C. Brogan, Counsel for Suzanne E. Wade, Chapter 13 Trustee, and moves this Court to deny confirmation of the Chapter 13 Plan dated February 25, 2022, for the cause as follows:

1. The Debtor filed this Chapter 13 Petition, now pending in the United States Bankruptcy Court, Eastern District of Virginia, Richmond Division, on January 28, 2022 under 11 U.S.C. Chapter 13.
2. This Objection is filed pursuant to 11 U.S.C. § 1325(b)(1)(B).
3. The above-filed Chapter 13 case is not eligible for confirmation due to the Debtor's failure to accurately describe her current monthly income in Form 122C.
4. The Debtor's Form 122C reflects a gross monthly employment income of \$7,231.08.
5. The Debtor timely provided sixty days of paystubs to the Trustee, covering five pay periods ranging from December 8, 2021 through February 2, 2022.
6. The Trustee would suggest these paystubs reflect an average income of \$3,650.00 per bi-weekly pay period, or \$7,908.00 monthly. The December 22, 2021 paystub shows a year-to-date gross income of \$93,733.60, which suggests an average monthly income of \$7,811.13 monthly during the 2021 year.
7. The Trustee would suggest the Debtor's monthly income is understated in Form 122C, and that the correction of this understatement would yield an increase to the Debtor's disposable monthly income.
8. The Trustee requests the Debtor file an amended Form 122C, or in the alternative, provide additional paystubs demonstrating the accuracy of the income shown in her current Form 122C.

WHEREFORE, for the reasons stated herein, the Chapter 13 Trustee, by Counsel, respectfully moves the Court to deny confirmation of the Debtor's proposed Chapter 13 Plan, and for such further and other relief as the Court deems necessary.

Elizabeth C. Brogan

Counsel for Suzanne E. Wade, Chapter 13 Trustee
Virginia State Bar Number 76539
7202 Glen Forest Drive, Suite 202
Richmond, Virginia 23226
(804) 775-0979

Date: March 28, 2022

/s/ Elizabeth C. Brogan

Elizabeth C. Brogan, Counsel for
Suzanne E. Wade, Chapter 13 Trustee

CERTIFICATE OF SERVICE

I hereby certify a true copy of the foregoing OBJECTION TO CONFIRMATION was served electronically or by first-class mail, postage prepaid, this 28th day of March, 2022, upon the following parties:

Patricia L Johnson
13910 Cobble Glen Court
Chester, VA 23831-8010

Kimberly Alice Chandler, Counsel for Debtor
Chandler Law Firm
P.O. Box 17586
Richmond, VA 23226
kim@chandlerplc.com

Mark David Meyer, Counsel for Rocket Mortgage, LLC
Rosenberg & Associates, LLC
4340 East West Highway, Suite 600
Bethesda, MD 20814
bankruptcy@rosenberg-assoc.com

/s/ Elizabeth C. Brogan

Elizabeth C. Brogan, Counsel for
Suzanne E. Wade, Chapter 13 Trustee

Elizabeth C. Brogan
Counsel for Suzanne E. Wade, Chapter 13 Trustee
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
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In re: Patricia L. Johnson, Debtor

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XXX-XX-0561

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Case No. 22-30214-KLP
Chapter 13

NOTICE OF OBJECTION TO CONFIRMATION

Elizabeth C. Brogan, Counsel for Suzanne E. Wade, Chapter 13 Trustee, has filed papers with the Court objecting to the confirmation of your Chapter 13 Plan dated February 25, 2022.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the relief sought in the Objection, or if you want the Court to consider your views on the Objection, then on or before three (3) days before the date of the hearing, you or your attorney must:

 X File with the Court, at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough that the Court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 East Broad Street, Suite 4000
Richmond, Virginia 23219

You must also mail a copy to:

Elizabeth C. Brogan
Counsel for Suzanne E. Wade, Chapter 13 Trustee
7202 Glen Forest Drive, Suite 202
Richmond, Virginia 23226

 X Attend the hearing on the Objection, scheduled to be held **REMOTELY** on **April 20, 2022** at **9:10 a.m.**

Elizabeth C. Brogan
Counsel for Suzanne E. Wade, Chapter 13 Trustee
Virginia State Bar Number 76539
7202 Glen Forest Drive, Suite 202
Richmond, Virginia 23226
(804) 775-0979

REMOTE HEARING INFORMATION:

Due to the COVID-19 public health emergency, no in-person hearings are being held. This hearing will take place remotely through Zoom on the date and time scheduled herein.

To appear at the hearing, you must send, by email, a completed request form (the "Zoom Request Form"), which is available on the Court's internet website at www.vaeb.uscourts.gov, on the page titled, "Temporary Emergency Provisions Regarding ZoomGov Remote Proceeding Access Information." Email your completed Zoom Request Form to the email address listed for the Judge assigned to the case. Following receipt of your Zoom Request Form, Court staff will respond to the email address from which the request was submitted with additional information on how to participate through Zoom.

The email address shall be used only to submit Zoom Request Forms. No other matters or requests will be considered by Court staff, and under no circumstances will any such matters or requests be brought to the Judge's attention. Failure to comply with these instructions may result in appropriate action, including but not limited to the imposition of sanctions.

PLEASE NOTE: You MUST submit the Zoom Request Form no later than two (2) business days prior to this hearing. Any documentary evidence the parties wish to present at the hearing must be filed with the Court in advance of the hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Objection, and may enter an order granting that relief.

Date: March 28, 2022

/s/ Elizabeth C. Brogan

Elizabeth C. Brogan, Counsel for
Suzanne E. Wade, Chapter 13 Trustee

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Suzanne E. Wade, Chapter 13 Trustee

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